

REMARKS

Upon entry of this Submission, claims 1-6 and 9 will be pending in the above-identified application. Claims 1-3, 5, and 6 were amended in Applicant's response filed on July 11, 2008 and are incorporated herein. Claim 9 is herein added. No new matter is added. It is respectfully submitted that this paper is fully responsive to the Advisory Action mailed on July 28, 2008.

Claim Rejections - 35 U.S.C. §103

Claims 1-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Dunlap, Jr.* (US2005/0043854) in view of *Nedblake* (US 2005/0237201). Applicants disagree. However, to expedite prosecution, Applicants amended claims 1-3, and 5 in the response filed on July 11, 2008 in order to clarify the subject matter of the claimed invention. Accordingly, in view of these amendments and the following remarks, Applicants request reconsideration of the rejection of claims 1-5.

Applicants respectfully submit that the examiner has not demonstrated all the elements of a *prima facie* case of obviousness. In particular, *Dunlap* fails to disclose a structure wherein inventory checks of individual articles within containers can be performed. In particular, none of the cited references disclose, teach or even suggest a system wherein IDs of individual articles in a container are read by scanning the articles *while pulling the container onto the transfer apparatus*. See claim 1. Because of this feature, for example, IDs of the individual articles in the container are accurately read. Accordingly, claim 1 is not obvious based on the teachings of the cited references.

Furthermore, none of the cited references disclose, teach or suggest a warehouse system comprising a control means for setting a speed of pulling the container at a low speed at a time the article ID tag is read, in comparison with a speed at a time the article ID tag is not read. *See claim 2.*

In view of the aforementioned remarks and amendments, Applicants request that claims 1-5 be allowed over the cited references.

Claim 6 was rejected under 35 U.S.C. 103(a) as unpatentable over *Dunlap, Jr.* in view of *Nedblake* in view of *Bonneton et al.* (U.S. Patent No. 4,678,390).

Applicants submit that claim 6 depends from independent claim 1 and should likewise be allowable over the cited references in view of the aforementioned remarks and amendments.

Claim 9 is herein added. This claim recites a method for checking inventory in an automated warehouse. Support is found, for example, in Fig. 6 of the specification. Applicants submit that claim 9 is allowable over the cited references for the reasons discussed above with respect to claim 1.

Conclusion

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

Application No.: 10/578,625
Art Unit: 3652

Response under 37 C.F.R. §1.114
Attorney Docket No.: 053543

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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